

WILLIAM J. MCCULLOUGH
423 SOUTH VAN BUREN
KIRKWOOD, MISSOURI 63122

RECEIVED
JUL 17 1991
SAFE SECTION

July 16, 1991

Site: West Lake LDF
ID #: MDD079900932
Break: 11.6
Other: McCullough, William
7-16-91

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United States Environmental
Protection Agency, Region VII
Ms. Diana L. Newman
Superfund Branch
726 Minnesota Avenue
Kansas City, Kansas 66101

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SUPERFUND RECORDS

Dear Ms. Newman:

The following is my Response to the CERCLA 104(e) Information Request dated May 14, 1991 addressed to me, William J. McCullough. Pursuant to a letter addressed to me from Nancy E. Bacon of the United States Environmental Protection Agency Office of Regional Counsel dated June 12, 1991, I was granted until July 17 to file this Response.

As a preliminary statement, I would like to explain that, although I had served as Executive Vice President and then as President of West Lake Landfill, Inc., West Lake Quarry and Material Company and West Lake Ready Mix Company (the "West Lake Companies") for many years, in October of 1985 I took the position of Vice President and then retired on February 23, 1987. I have not been active with West Lake in a consulting or any other capacity since that time. Accordingly, my answers are without the aid of company records and only reflect facts through the date of my retirement to the best of my recollection. Within these limitations, I have answered the Information Request to the best of my ability. The EPA's questions, and my answers to each, follow:

1. Identify each person who assisted, or is assisting, in the preparation of the answers to this request for information.

ANSWER:

William J. McCullough
423 South Van Buren
Kirkwood, Missouri 63122
(314) 822-7729
Retired; former officer of West Lake Companies

WJM 0002

The Stolar Partnership
911 Washington Avenue, 7th Floor
St. Louis, Missouri 63101
(314) 231-2800
A Missouri General Partnership engaged
in the practice of law

2. Please provide the following information:

2.1 Name and address of the Respondent's current employer(s);

2.2 Respondent's title; and

2.3 Names and addresses of Respondent's former employers since 1962.

ANSWER:

2.1 Retired

2.2 Not Applicable

2.3 West Lake Companies
12976 St. Charles Rock Road
Bridgeton, Missouri 63044
Prior to 1962 through February 23, 1987

3. Is the Respondent an officer or director of any profit or non-profit corporations? If so, provide the name, address, type of business, and principal place of business of corporation.

ANSWER:

I am neither an officer nor director of any corporation.

4. Is the Respondent currently a registered agent for any companies or has the Respondent been a registered agent in the past for any companies? If so, please describe.

ANSWER:

I have never been a registered agent for any company.

5. Describe Respondent's current and/or past property interest in the site and how, when, and from whom Respondent obtained this interest. If you no longer have a property interest in the site, when and to whom was Respondent's interest conveyed?

Provide copies of any documents related to conveyance of the site property interest to Respondent or from Respondent.

ANSWER:

I do not now have nor have I ever had a property interest in the site.

6. Provide the date quarry operations first began at the West Lake Landfill site. Also provide the date when waste was initially disposed of in the landfill.

ANSWER:

To the best of my recollection, quarry operations began in September, 1939, and landfilling began around 1952 through a partnership formed by Vertice and Catherine Cruse and Lillian E. Trump. Landfilling operations were incorporated in 1962 under West Lake Landfill, Inc.

7. Provide information and copies of documents pertaining to the ownership of the West Lake Landfill since it began operations as a quarry and as a landfill.

ANSWER:

I understand that complete information and documentation pertaining to the ownership of the site since quarry and landfill operations began will be supplied in a similar 104(e) response being submitted by current West Lake management. Such documentation is not in my possession.

8. Provide details of the relationship between West Lake Landfill, Inc., Rock Road Industries, West Lake Quarry and Material Company, West Lake Ready Mix Company, Red Bird Ready Mix Company, Laidlaw Waste Systems (Bridgeton), Inc., Laidlaw Waste Systems Inc., the Archdiocese of St. Louis, the Shrine of St. Jude, and the Society for the Propagation of Faith and Respondent's relationship to each.

ANSWER:

To the best of my recollection, West Lake Landfill, Inc., West Lake Quarry and Material Company and West Lake Ready Mix Company were each owned by the same shareholders. At the time of my retirement, the Archdiocese of St. Louis was the majority shareholder of each of these corporations, and minority interests were held by the Shrine of St. Jude, The Society for the Propagation of the Faith, the Little Sisters of the Poor and

Cardinal Glennon Children's Hospital. I served as Executive Vice President and Secretary/Treasurer for each of the West Lake Companies from June 30, 1970 through March 19, 1981, President of the West Lake Companies from March, 1981 through October, 1985, and Vice President from October, 1985 until my retirement on February 23, 1987. I have never had any relationship to the named shareholders.

I understand that West Lake Landfill, Inc. is now known as Laidlaw Waste Systems (Bridgeton) Inc. I have never had any relationship to, nor do I have any knowledge pertaining to, Rock Road Industries, Red Bird Ready Mix Company or Laidlaw Waste Systems Inc.

9. Provide maps of the property encompassing the active and inactive quarry and landfill.

ANSWER:

I understand that maps are being supplied in a similar 104(e) response being submitted by current West Lake management. Such maps are not in my possession.

10. Provide a list of all companies and transporters (names, addresses, and EPA Identification numbers) disposing of waste at the West Lake Landfill by year. If the waste was or is being disposed of pursuant to a written contract, provide a copy of any contracts or agreements.

ANSWER:

There were a great many companies and transporters disposing of waste at the West Lake Landfill during my years with the company. I do not have records of these companies and transporters.

11. Provide the names, addresses, and telephone numbers of all persons responsible for the financial recordkeeping for West Lake Landfill, past and present.

ANSWER:

Several people were responsible for financial recordkeeping for West Lake Landfill over the years. The persons that I can recall having had this responsibility are as follows:

Jim Ohmes - still with West Lake

Mike Luebbert - still with West Lake

Louise Krantz - deceased

Rose Wisdom - I do not know where she can be located.

Bill Heath - I do not know where he can be located.

Frank Perrano - probably deceased

William J. McCullough, until 1970

12. Identify all persons directly involved in overseeing activities at the site, including employees who have knowledge, information or documents about the quarry and landfill operations.

ANSWER:

Bud Cruse - deceased

John Kopp - I do not know where he can be located.

Vernon Fehr - I do not know where he can be located.

Virgil Czeschin - I believe he is deceased.

William J. McCullough

13. Describe any clean-up or removal of hazardous substances as defined in CERCLA §101(14), 42 U.S.C. §9601(14), at the site.

To the best of my recollection, I am aware of no clean-up or removal of hazardous substances at the site.

14. Provide copies of boring logs, geologic reports, well logs, well locations, soil samples, and all sampling data including sampling locations of all such samples for the site.

ANSWER:

I understand that copies of boring logs and other sampling data obtained by West Lake from government agencies will be supplied in a similar 104(e) response being submitted by West Lake management. I do not possess copies of any such sampling data.

15. Provide a description of the method of waste disposal (e.g. whether the waste was compacted or crushed prior to disposal), the thickness of waste deposited, and the amount of clean cover on top of the waste.

ANSWER:

Waste was compacted and covered daily with dirt to the thickness required from time to time under applicable regulations. This waste was final dressed weekly with additional dirt and compacting.

16. Provide information as to any waste West Lake Landfill, has ever had transported offsite, including but not limited to:

16.1 Shipping manifests;

16.2 Shipping logs;

16.3 Receipts;

16.4 Weight tickets; and/or

16.5 Permits.

ANSWER:

To the best of my recollection, no waste was ever transported offsite except certain reusable materials such as cardboard, paper and copper wire, purchased by reclamation companies.

17. Has the landfill ever been closed or shut down for any period of time? If so, provide the dates and circumstances under which the landfill was closed.

ANSWER:

I do not recall the landfill ever being closed or shut down. The elevation allowed under the permit for the original landfill site was reached in the early 1970s, so the original site was only used after that time when the elevation would sink as a result of decomposition.

18. Provide copies of the meeting minutes of the corporate directors' meetings, for all the years during which Respondent held an interest or was affiliated with the site.

ANSWER:

I understand that meeting minutes will be supplied in a similar 104(e) response being submitted by current West Lake management. No such minutes are in my possession.

19. Do you have any knowledge of releases of hazardous wastes or hazardous constituents (see 40 C.F.R. Part 261, Appendix VIII)

into the environment (air, surface water, groundwater, or soil) from the site at any time in the past or present? If yes, provide a complete description of each release, including but not limited to:

19.1 Location of release;

19.2 Waste or constituents released;

19.3 Quantities of release;

19.4 Date of release;

19.5 Cause of release;

19.6 Environmental impact of release;

19.7 Response actions taken; and

19.8 Measures taken to prevent the recurrence of release.

ANSWER:

I recall that there were tests conducted by the Nuclear Regulatory Commission or its contractors commencing in either the late 1970s or early 1980s regarding radioactive waste believed to be contained in some dirt which had been deposited on certain areas of the site. The dirt had been deposited by B & K Construction Company around 1973. We did not charge B & K Construction Company a dumping fee because the landfill was always in need of clean dirt for use as cover; when B & K Construction approached us and represented it had clean dirt to dispose of, we agreed that the dirt could be placed at the landfill. Some of the dirt was deposited only a few feet away from my office. I did not learn of the supposed radioactive contamination of the dirt until several years later. The contamination was first brought to my attention during Senator Kit Bond's campaign for Governor in the late 1970s when Mr. Bond held a press conference at the landfill site, although apparently the governmental authorities had suspected radioactive contamination some time prior to this. It was my understanding that, after testing, the governmental authorities did not consider that the radioactive waste, which had been covered over through continued landfilling operations, presented a serious threat to health or safety.

I recall discussions by local residents and others regarding whether other hazardous wastes may have been released at the site. I know of no such release of hazardous wastes into the environment.

20. Provide a detailed description of the area where radioactive materials were deposited at West Lake Landfill, including a legal description.

ANSWER:

The dirt which was later discovered to have been contaminated with radioactive materials was deposited by B & K Construction Company at a location east of the old office and scale, and at a location on the extreme western portion of the site.

21. Describe in detail, the relationship between West Lake Landfill, Inc. and the Cotter Corporation, and the relationship between Respondent and the Cotter Corporation, regarding the disposal of hazardous substances at West Lake Landfill.

ANSWER:

To the best of my recollection, West Lake Landfill, Inc. has never had any relationship with the Cotter Corporation. I have never had any relationship with the Cotter Corporation.

22. Provide information describing the location and amount of radioactive waste disposed at West Lake Landfill. Provide information about the ownership of the radioactive waste before its disposal at the landfill.

ANSWER:

With respect to the location of radioactive waste, see my answer to Question No. 20. To the best of my recollection, B & K Construction Company dumped in excess of 200 loads of dirt at the site; I have no knowledge regarding the amount of radioactive waste found to have been contained in the dirt deposited by B & K Construction Company.

23. With respect to all hazardous substances disposed at West Lake Landfill provide the following information:

23.1 Time period(s) over which each substance was disposed;

23.2 Quantity (weight and volume) of each substance disposed;

23.3 Nature and condition of any containers in which these wastes were placed before disposal;

23.4 Company name, address, and telephone number of each transporter of these substances; and

23.5 Results of any sample analyses performed on these wastes before disposal.

ANSWER:

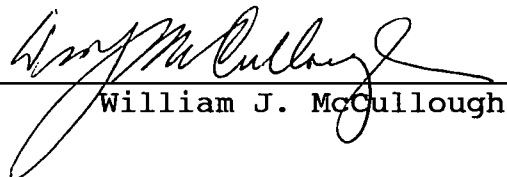
With respect to radioactive materials, see my answer to Question Nos. 19 and 22. With respect to the disposal of other hazardous substances, I know only that household waste inevitably contained small quantities of hazardous substances which, because they were domestic wastes, were not regulated as hazardous and which were disposed of at sanitary landfills. I have no knowledge of any particular instance of the disposal of a hazardous substance (other than radioactive waste) at the site. I certainly never knowingly allowed any prohibited hazardous substance to be deposited at the landfill.

24. If you are unable to obtain or provide any of the above information, please indicate the names and addresses of those individuals and/or corporations who would possess such information.

ANSWER:

West Lake Quarry and Material Company
12976 St. Charles Rock Road
Bridgeton, Missouri 63044
(314) 739-1122

I certify that the foregoing is true to the best of my information, knowledge and belief, as of this 16th day of July, 1991.



William J. McCullough